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validate his argument and to destroy some of the historical proofs upon which he bases his conclusion, it must be said that he has presented as strong a plea as can well be compressed into the allotted space. He seeks by abundance of historical evidence to demonstrate that the states were separate sovereignties when the Constitution was adopted, and that they adopted it as states. The result was the establishment of a *Staatenbund* and not a *Bundesstaat*. In spite of this conclusion he seems to hold that the Constitution is the supreme law of the land and binding upon the states.

In conclusion it may be said that it is a very difficult task to appraise the work in general terms. There are a few serious blunders, there is a tendency to theorize when a clear statement of well established principles is desirable, and there is occasional evidence of a bias which seems to militate against the trustworthiness of some of his conclusions. But withal the matter is forcibly handled, and no small portion is written with exceptional clearness and strength. On the whole, one is left with a feeling of disappointment that the author could not have finished his undertaking, made his final corrections and published the work himself.

ANDREW C. McLAUGHLIN.

History of the United States from the Compromise of 1850. By JAMES FORD RHODES. Vol. IV., 1862-1864. (New York and London: Harper and Brothers. 1899. Pp. xiii, 559).

MR. RHODES has now attained that agreeable position in which a new volume of his history is distinctly an "event." The position has its responsibilities; but the present volume offers abundant evidence that the author is quite capable of sustaining them. In guiding us through the central heat of the Civil War he never loses the clearness of head and the calmness of spirit with which he brought us up to the conflagration. At times, it may be, his enthusiasm for his *bahnbrechende* task leads him to attempt too much, and in trying to call our attention to the countless minor plays of light and shadow he diverts us from the larger outlines of the scene. But this tendency, if it exists at all, is venial; it might count for something in a judgment of the work as "mere literature," but can hardly have validity from the standpoint of history.

On the military side the present volume carries the narrative in the East from the siege of Yorktown by McClellan to the siege of Petersburg by Grant, and in the West from Bragg's invasion of Kentucky to Sherman's capture of Atlanta. Mr. Rhodes's handling of the military history will serve as an admirable corrective to certain ideas that have gained a good deal of currency in recent years. Outside of the purely technical works on the war there has been a tendency to lay down summarily that McClellan and Buell were hopelessly incapable, if not absolutely imbecile; that Grant outclassed Lee in Virginia as distinctly as he did the Confederate generals who opposed him in the West; and that

above all it was through a sort of baptism of military genius vouchsafed by Providence to Lincoln himself that the ultimate outcome of the struggle was decided. Mr. Rhodes, while intimating—over modestly, I think—that his judgment as a “layman” is not to be too seriously considered, nevertheless, most conclusively punctures these rather silly notions. He gives McClellan and Buell all the credit that is due them, even suggesting a very high place among commanders for the latter; he brings into very clear relief the disastrous incidents and effects of Grant’s campaign of attrition against Lee; and by a cold-blooded exposition of some of the President’s more preposterous blunders, he leaves it beyond controversy that Mr. Lincoln’s military genius was at least of a distinctly intermittent type.

On the purely civil side, also, the character and ability of President Lincoln are put by this volume in a light far more faithful, if considerably less flattering, than that in which they have been placed by his professional biographers. Mr. Rhodes does not seem to believe that a high appreciation of the shrewdness, sagacity and practical insight of Lincoln necessarily implies the ascription to him of saintliness and infallibility. The halo, which, placed upon his head at his assassination, was left there by a sort of literary convention, is removed, though not irreverently, by Mr. Rhodes. This is well. We waited a century for the “real George Washington,” and perhaps we have not yet achieved the real Benjamin Franklin; but in proportion to the more rapid movement of things in general it is entirely proper that the real Abraham Lincoln should begin to be revealed a generation after his death. Mr. Rhodes allows us to see that Mr. Lincoln was a “practical politician” in a sense which at the present day chills the blood of reformers. He appointed men to civil office with a view, not to the good of the service, but to the securing of delegates to the national convention. That military offices were filled under the influence of like motives, is indisputable, and must be considered in assigning the responsibility for much useless slaughter. The shadier side of Lincoln’s more personal characteristics is also treated frankly by Mr. Rhodes, and in a note on page 518 the nature of the stories which figured so largely in the President’s conversation is denoted by a term which for exactness stands at the widest remove from the periphrastic euphemisms generally employed. Mr. Rhodes further contributes to the accuracy of history by noting some of the contemporary pictures of Lincoln drawn both by his supporters and by his adversaries. In neither is the halo of later days conspicuous.

The exercise by the administration of its war power in the North by the arbitrary arrest and punishment of private citizens, forms the subject of some of the most striking portions of this volume. Upon the policy of the government in this respect Mr. Rhodes visits almost unqualified condemnation. He rightly judges that the tame submission of the North to the abuses of this system was largely due to the general confidence in the personal rectitude of President Lincoln. The “copperhead” is set by Mr. Rhodes in a rather less repulsive light than is customary.

That he was sinned against as well as sinning is distinctly indicated ; and the fact that his grievances against the administration received the sympathy and support of such men as Robert C. Winthrop and Benjamin R. Curtis, is properly presented as evidence that he was not altogether diabolical. For Vallandigham, whom fate and General Burnside raised to the doubtful eminence of copperhead-in-chief, Mr. Rhodes has sympathy but no admiration. The personality of the Ohio politician seems to have been unattractive, and it is by no means impossible that Mr. Lincoln took this fact into account in dealing with the case.

On this whole question of military supersession of the ordinary jurisdiction over civil rights, it is to be said that, regardless of all question of justice or of ultimate expediency, the will of the military commander will always, in fact, prevail in time of civil war. The comparison which Mr. Rhodes makes with the practice in England during the war with France is hardly to the point ; the proceedings of Cromwell would be the parallel case. The dictum of the Supreme Court in the Milligan case is worthy of all the commendation which Mr. Rhodes bestows upon it. But the decision, it is to be noticed, was not rendered till after the close of hostilities, and never would have been rendered in that form during actual conflict ; and the criterion of peace set up by the court, namely, that the courts be open and unobstructed, is practically impossible. Whether the courts are open and unobstructed, is a question of fact, which must be answered by some human authority. Practically the opinion of the military commander will always be conclusive on this point as against that of any judicial organ. In Vallandigham's time it was evidently the opinion of General Burnside and of his military superior the President, that in view of existing conditions the courts were not "unobstructed." To allow to the court itself the final judgment as to when it is open and unobstructed, would be to clothe the judiciary with a distinctly political function.

It would be impossible to call attention in this review to a tithe of the points at which Mr. Rhodes throws valuable light upon the period which he covers. His account of the state and variations of English and other foreign opinion during the critical period of the war is exceedingly well done. The motives of the Emancipation Proclamation, as well as its effects, are also excellently put. On the use of the negroes as soldiers, however, the historian is rather inadequate. Instead of the slight paragraph on Fort Wagner and Col. Shaw, which was really as local a Bostonian incident in 1863 as the commemoration of it was in 1897, the general aspects of negro enlistment might have been profitably considered. Especially would it have been worth Mr. Rhodes's while to give us the pros and cons of the question as to whether the eulogies on the fighting qualities of the blacks and the enthusiasm for their admission to the army had any motive in a shrewd Yankee business estimate of their utility for filling up state quotas without drawing on state citizens.

The last point to which reference can be made is Mr. Rhodes's very interesting theory in explanation of General Grant's mysterious conduct respecting Generals Butler and Smith before Petersburg in the summer of

1864. After putting himself on record as strongly desiring to get rid of Butler and put Smith in his place, Grant suddenly suspended the order, already issued, depriving Butler of command, and at the same time removed Smith. Mr. Rhodes conjectures that it was all due to "some hold" which Butler had secured on Grant, which was employed in so unscrupulous a manner as to overawe the latter.

"Perhaps he joined together, in a Mephistophelian manner, the failure of the campaign, the popular horror at the waste of blood, seemingly to no purpose, and the general's relapse from his rule of total abstinence; perhaps he told Grant that as a Confederate corps under Early was now threatening Washington, to the exasperation of the people of the North, the commander of the Union armies needed a friend who had a powerful control of public sentiment, and that he was not so secure of his position that he could afford to refuse the proffered aid of Butler, which was his for an equivalent" (pp. 495-496).

The interest of this explanation is enhanced by the fact that it might suggest a clue to the unravelling of another mystery later in Grant's career. In connection with the effort of President Johnson to get rid of Secretary Stanton, just before the impeachment, General Grant took a step which thwarted the President's plan. Grant's action was at once declared by Johnson to involve a flat violation of a pledge deliberately given by the general. That such a pledge had been given was asserted in the most explicit terms by five members of the cabinet—men whose word was worthy of absolute confidence. But Grant, on the other hand, met the accusation of bad faith with a simple and unqualified denial that he had ever made the promise in question. The issue of veracity stands complete, and to this day undetermined, with odds of six to one against Grant. At the time of this remarkable controversy Butler was the leader in fact of the Republicans in Congress, soon to become, at the death of Thaddeus Stevens, the leader in name as well. Among the adversaries of President Johnson he was easily the fiercest. In the party at large he was naturally very influential. The availability of Grant as a candidate for the presidency in 1868 was under active discussion. Can it be that Butler played Mephistopheles again, and as in 1864 moulded the will of his victim, though now rather through the promise of a splendid gain than through the threat of a frightful loss? It is to be hoped that when Mr. Rhodes reaches the proper point in his narrative he will throw all possible light on this strange incident.

WM. A. DUNNING.

The Civil War on the Border. A Narrative of Military Operations in Missouri, Kansas, Arkansas, and the Indian Territory, during the years 1863-65, based upon Official Reports and Observations of the Author. By WILEY BRITTON, late of the War Department. Vol. II. (New York: G. P. Putnam's Sons. 1899. Pp. xxiii, 546).

AMONG the Missourians who enlisted in Kansas regiments during the